

STATE OF VERMONT
PUBLIC SERVICE BOARD

Docket No. 7628-A

In Re: Lowell Mountain Wind Project)
Stormwater Permit #6216-INDC)
(Appeal of Energize Vermont, Inc., et al)

Docket No. 7628-B

In Re: Lowell Mountain Wind Project)
Stormwater Permit #INDC.1)
(Appeal of Energize Vermont, Inc. et al))

Docket No. 7628-C

In Re: Lowell Mountain Wind Project)
Stormwater Permit #6216-INDS)
(Appeal of Energize Vermont, Inc., et al)

Docket No. 7628-D

In Re: Lowell Mountain Wind Project)
Water Quality Certification)
(Appeal of Energize Vermont, Inc. et al))

and

Docket No. 7628-E

In Re: Lowell Mountain Wind Project)
Wetland Permit #2008-364)
(Appeal of Energize Vermont, Inc., et al)

Order entered: 11/22/2011

ORDER RE CRAFTSBURY AND ALBANY MOTION TO INTERVENE

On September 27, 2011, the Towns of Craftsbury and Albany (the "Towns") filed a motion to intervene in these proceedings. At the prehearing conference held on October 14, 2011, the Public Service Board ("Board") noted that the Towns' intervention motion did not

appear to specifically address the statutory requirements for intervention that apply to these types of appeals, as set forth at 10 V.S.A. § 8504(n). The Board provided the Towns an opportunity to file an amended motion to intervene, if they wished to do so, by the October 28, 2011, intervention deadline.

On October 28, the Towns filed a Supplemental Motion for Leave to Intervene. In their Supplemental Motion, the Towns claim that they are entitled to intervene as "persons aggrieved," pursuant to 10 V.S.A. § 8504(n)(4). The Towns allege that they have particularized interests that may be injured as a result of the five Agency of Natural Resources ("ANR") decisions regarding the Lowell Mountain Wind Project ("Project") that are the subject of these appeals. In particular, the Towns claim that the Project's stormwater, wetland and water-quality impacts can affect the Towns' residents and infrastructure, including recreational opportunities, drinking-water supplies, roads, bridges, and firefighting capabilities. The Towns claim that ANR failed to properly address those Project impacts, and that as a result the Towns have been aggrieved by the ANR decisions.

No responses have been filed in response to the Towns' Supplemental Motion.

Given the lack of opposition to the Towns' intervention, we accept that the Towns are "persons aggrieved" for purposes of 10 V.S.A. § 8504(n)(4), and we therefore grant their motion to intervene.

SO ORDERED.

Dated at Montpelier, Vermont, this 22nd day of November, 2011.

<u>s/James Volz</u>)	
)	PUBLIC SERVICE
)	
<u>s/David C. Coen</u>)	BOARD
)	
)	OF VERMONT
<u>s/John D. Burke</u>)	

OFFICE OF THE CLERK

FILED: November 22, 2011

ATTEST: s/Susan M. Hudson
Clerk of the Board

NOTICE TO READERS: This decision is subject to revision of technical errors. Readers are requested to notify the Clerk of the Board (by e-mail, telephone, or in writing) of any apparent errors, in order that any necessary corrections may be made. (E-mail address: psb.clerk@state.vt.us)